

## Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-14 EA-12 EUR-12 NEA-10

OIC-02 CIAE-00 DODE-00 PM-05 H-02 INR-10 L-03

NSAE-00 NSC-05 PA-02 SP-02 SS-15 USIA-15 ACDA-12

HA-05 /151 W

-----025864 092003Z /50

R 090131Z MAR 78

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 9931

UNCLAS USUN NEW YORK 00824

E.O. 11652: N/A

TAGS: UN

SUBJECT: SPECIAL COMMITTEE ON THE CHARTER

1. AT MARCH 7 AM MEETING OF THE SPECIAL COMMITTEE, UK, ITALY, POLAND SPOKE ON PEACEFUL SETTLEMENT OF DISPUTES. THE UK NOTED FAILURE OF STATES TO UTILIZE EXISTING MACHINERY AND LATE INTERVENTION OF THE UN IN SETTLEMENT EFFORTS; BELIEVED PROBLEM WAS A QUESTION OF PRODDING THE PARTIES INTO USING AVAILABLE MACHINERY. UK SAID THERE WAS A NEED TO HAVE MACHINERY WHICH WOULD PREVAIL UPON STATES TO TOLERATE UN INTERVENTION AT AN EARLIER STAGE THAN THEY ARE PRESENTLY PREPARED TO ACCEPT; CITED OAS PEACE COMMITTEE AND OAU COMMISSION ON CONCILIATION AND MEDIATION AS EXAMPLES OF TYPES OF MACHINERY THAT CAN INTERVENE AT AN EARLY STAGE IN DISPUTE SITUATIONS. UK, WHILE EXPRESSING SOME RESERVATIONS ON ROMANIAN PROPOSAL FOR A GA COMISSION ON CONCILIATION, SUGGESTED THAT SOMETHING LIKE IT, AT THE SC LEVEL, MIGHT PROVIDE A SUITABLE IMPETUS FOR EARLY INVOLVEMENT OF THE UN IN PEACEFUL SETTLEMENT PROCEDURES; OTHER METHODS FOR SUCH INVOLVEMENT WOULD BE FOR MEMBERS, NOT PARTIES TO A GIVEN DISPUTE, TO BRING MATTER TO THE ATTENTION OF THE SC OR, TO HAVE THE SECRETARIAT MONITOR POTENTIAL DISPUTE

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SITUATION AND, IF A PARTICULAR SITUATION WERE TO WORSEN, HAVE THE SYG REQUEST EARLY SC INVOLVEMENT. UK BELIEVED THAT AFTER PEACEFUL SETTLEMENT PROCEDURES HAD BEEN RESORTED TO, THERE WOULD BE A NEED FOR SOME FORM OF INTERNATIONAL PRESSURE TO ENSURE THAT STATES CONCERNED ADHERED TO DECISION TAKEN.

2. ITALY CONSIDERED NON-USE OF FORCE COMMITTEE, PER GA RES 32/150, TO BE BETTER PLACE TO CONSIDER SUBSTANCE OF PEACEFUL SETTLEMENT; SUGGESTED IMPROVING FACT-FINDING PROCEDURES AND EXPANDING AND ENHANCING CONCILIATION PROCEDURES; NOTED CO-EQUAL NATURE OF METHODS ENUMERATED IN ARTICLE 33 BUT, IF CHARTER NOT AMENDED, BELIEVED THERE WAS A NEED FOR COORDINATION IN THE FIELD OF PEACEFUL SETTLEMENT; SUGGESTED GREATER USE OF ICJ, BELIEVED ICJ SHOULD BE ACCORDED GREATER DEGREE OF PRIORITY IN SEEKING PEACEFUL SETTLEMENT; COMMENTED ON VARIOUS POINTS OF MEXICAN PROPOSAL FOR A DRAFT DECLARATION AND EXPRESSED STRONG DOUBTS OVER CALVO CLAUSE.

3. POLAND CONSIDERED SUBJECT OF PEACEFUL SETTLEMENT TO BE COVERED BY UN CHARTER, FRIENDLY RELATIONS DECLARATION, DECLARATION ON STRENGTHENING INTERNATIONAL SECURITY, DECLARATION ON DETENTE AND OTHER INTERNATIONAL INSTRUMENTS; BELIEVED PEACEFUL SETTLEMENT OF DISPUTES WAS PART OF A GREATER WHOLE WHICH INCLUDED PRINCIPLES OF RENUNCIATION OF THREAT OR USE OF FORCE, CONCEPT OF COLLECTIVE ECONOMIC SECURITY AND ECONOMIC AGGRESSION; SAID NOTION OF FORCE NOT LIMITED TO MILITARY OR ARMED FORCE; SUGGESTED IT WOULD BE EASIER TO STRENGTHEN CONCEPT OF NON-USE OF FORCE THAN CONCEPT OF PEACEFUL SETTLEMENTS; EXPRESSED VIEW THAT ROMANIAN PROPOSAL FOR A COMMISSION COULD BE CONTRARY TO THE CHARTER BECAUSE SC HAD PRIMARY UNCLASSIFIED

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RESPONSIBILITY, UNDER THE CHARTER, FOR MATTERS CONCERNING PEACEFUL SETTLEMENT.

4. COMMITTEE ADJOURNED UNTIL 10:30 AM MARCH 8. YOUNG

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## Message Attributes

**Automatic Decaptoning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CONSTITUTION, DISPUTE SETTLEMENT, MEETING REPORTS, INTERNATIONAL ORGANIZATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 mar 1978  
**Decapton Date:** 01 jan 1960  
**Decapton Note:**  
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**Disposition Comment:**  
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**Original Handling Restrictions:** n/a  
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**To:** STATE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
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20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014